

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Cary J. Pickett,

Plaintiff

v.

Lisa Walsh,

Defendant

Case No.: 2:19-cv-0611-JAD-EJY

**Order Adopting Report & Recommendation
and Denying Motion for Leave to Amend**

[ECF Nos. 22, 32]

Plaintiff Cary J. Pickett asks this court for leave to file an amended complaint to assert two new Fourteenth Amendment claims for unequal denial of a restoration of his classification status and unequal denial of his grievances.¹ The government opposes his request.² After considering the merits of that request, the magistrate judge entered a report and recommendation for this court to deny the motion to amend because these new claims are futile.³ The deadline for any party to object to that recommendation was March 22, 2021, and Pickett neither filed an objection or moved to extend his deadline to do so. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”⁴ Having reviewed the R&R, I find good cause to adopt it, and I do.⁵

¹ ECF No. 22.

² ECF No. 31.

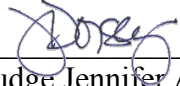
³ ECF No. 13.

⁴ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

⁵ The Court is aware that Pickett’s motions for reconsideration and to extend time [ECF Nos. 14, 16] remain pending. They will be decided in the normal course.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
2 Recommendation **[ECF No. 32]** is **ADOPTED** in its entirety.

3 IT IS FURTHER ORDERED that plaintiff's motion for leave to amend **[ECF No. 22]** is
4 **DENIED** because the proposed amendment would be futile.

5
6 
7 U.S. District Judge Jennifer A. Dorsey
8 Dated: April 2, 2021
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28